



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

August 22, 1995

Mr. Firmin A. Hickey, Jr.  
City Attorney  
City of Meadows  
11511 Katy Freeway, Suite 225  
Houston, Texas 77079

OR95-810

Dear Mr. Hickey:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 33795.

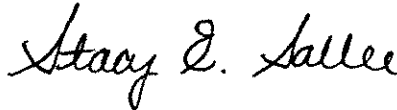
The City of Meadows (the "city") received a request for "a complete list of all complaints to or about 12102 Meadow Hollow or person [sic] associated with that address... includ[ing] all times police have been to the above house for any reason... [and] all complaints to from or about 12102 Meadow Hollow from any persons of position or authority." You claim that the city is unable to comply with the request because there are no responsive records.

A governmental body has a duty to make a good faith effort to relate a request for information to information the governmental body holds. Open Records Decision No. 561 (1990) at 8. You state that "[t]here are no records which are retained or produced which might be generically referred to as a listing of all complaints to or about 12102 Meadow Hollow or [any] person associated with that address." You further claim that the city cannot respond to the request because "no specific records are identified as to time, date and specific generic category relating to police conduct or activity at 12102 Meadow Hollow." If the city holds information from which the requested information can be obtained, the city must provide that information to the requestor. For instance, if the city has complaints that relate to 12102 Meadow Hollow, the city must release those complaints to the requestor.

Although you claim that the city "reserves its right to invoke exceptions under Section 552.108 of the Texas Government Code," a governmental body may not "reserve" an exception. The Government Code makes clear what information a governmental body must submit to this office to claim an exception under the Open Records Act and when that information must be submitted. Among these items are the specific documents requested, or a representative sample of those documents if they are numerous and repetitive, and arguments as to why the claimed exception applies to the requested documents. Gov't Code §§ 552.301 - 552.303; *see* Open Records Decision Nos. 499 (1988), 497 (1988). You submitted none of these items. Therefore, the city has not demonstrated how any specific document is excepted from required public disclosure and may not withhold information from which the requested information can be obtained.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Stacy E. Sallee  
Assistant Attorney General  
Open Government Section

SES/KHG/rho

Ref.: ID# 33795

cc: Mr. Barney J. Brister  
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